

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

UPSTART GROUP LCC,

Plaintiff,

V.

THE UPSTART GROUP  
INCORPORATED,

**Defendant.**

CASE NO. 2:19-cv-01290-RAJ-BAT

## **ORDER TO SHOW CAUSE**

THE UPSTART GROUP  
INCORPORATED,  
  
Defendant.

On April 22, 2020, this matter was stayed pending a determination by the United States District Court for the Northern District of Illinois in *The Upstart Group, Incorporated v. Upstart Group, LLC*, Case No. 1:19-cv-05405 (the “Illinois Action”) of Upstart Group’s motion to dismiss or transfer the Illinois Action for lack of personal jurisdiction and as a disfavored anticipatory suit. Dkt. 41. On August 5, 2021, United States District Judge Andrea R. Wood entered a minute order in the Illinois Action, stating in relevant part, “Pursuant to the parties stipulation on the record, and as the Court understands that a related case is pending in the Western District of Washington under case number 19-cv-1290 (*Upstart Group, LLC v. The Upstart Group, Inc.*), the Clerk of Court shall transfer this case to the Western District of Washington forthwith. All pending hearing dates and motions on this Court’s docket are terminated.” Dkt. 44, Ex. A.

On August 24, 2021, the Clerk of the United States District Court for the Northern District of Illinois transferred the Illinois Action to this Court. Dkt. 44, Ex. B. On September 1,

1 2021, the transferred Illinois Action was opened in this District as Case No. 2:21-cv-001193.

2 Based on the foregoing, Plaintiff requests that proceedings in this matter be resumed.

3 Accordingly, Defendant is **ORDERED** to advise the Court by **September 27, 2021** of any  
4 objections to a lifting of the stay and consolidation of the transferred case (No. 2:21-cv-001193)  
5 with this case.

6 DATED this 20th day of September, 2021.

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9 BRIAN A. TSUCHIDA  
United States Magistrate Judge